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Application Number	09/993,335
Filing Date	11/6/01
First Named Inventor	Abraham
Group Art Unit	3662
Examiner Name	Gregory C. Issing
Attorney Docket Number	GLBL-22

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

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| Remarks | It is believed that no fee is required in this Reply Brief. If I am mistaken and a fee is due, please charge the fee to Deposit Account 20-0782. To facilitate a charge a duplicate copy of this letter is enclosed. |
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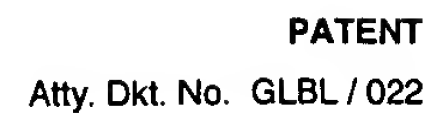
Firm or Individual name	Robert M. Brush Moser, Patterson & Sheridan LLP
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Date	August 30, 2004

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In re Application of:
Abraham

Serial No.: 09/993,335

Confirmation No.: 5693

Filed: November 6, 2001

**For: Method and Apparatus for
Receiving a Global
Positioning System Signal
Using a Cellular Acquisition
Signal**

Group Art Unit: 3662

Examiner: Gregory C. Issing

MAIL STOP APPEAL BRIEF-PATENTS
Commissioner for Patents
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Dear Sir:

REPLY BRIEF

This Reply Brief is filed under the provisions of 37 CFR 1.193(b) in response to the Examiner's Answer dated June 29, 2004.

REMARKS

The following points of argument have been either newly presented in the Examiner's Answer or presented in a different light by the Examiner than earlier in the record:

(1) The Examiner stated that "[Appellant's claim] sets forth processing satellite trajectory data within the GPS handheld device using the time of day; GPS receivers process satellite trajectory data within the GPS handheld device using the time of day information." (Examiner's Answer, page 6). The Examiner concluded that "there is nothing unique with respect to the claim language 'processing satellite trajectory data...using the time of day.'" (Examiner's Answer, page 6). The Appellant respectfully disagrees.

The Examiner is analyzing each element of Appellant's claim separately, rather than considering the claim as a whole. Appellant's invention as recited in independent claims 2 and 26 do not process satellite trajectory data using any time of day. Rather, the time of day is determined in response to a timing offset, which is determined in response to a time synchronization signal, which is obtained from a cellular network. There is no teaching or suggestion in Kurby of processing satellite trajectory data using a time of day determined using a time synchronization signal from a cellular network. Since Kurby does not teach each and every element of Appellant's claims 2 and 26 as arranged therein, Kurby does not anticipate Appellant's invention under 35 U.S.C. §102.

(2) The Examiner stated that "there is nothing in the method of operation of Krasner for rapidly determining the time for GPS receivers that requires or uses the transmitting portion of the cellular telephone. Thus, the method [of Krasner] operates at the exclusion of the transmission circuitry." (Examiner's Answer, page. 6). The Examiner further stated that "[t]he transmission circuit in Krasner is merely for embodiments wherein processing would be performed remotely or for communication of voice messages. Thus, it is deemed that Krasner suggests the use of a receive only front end for the determination of timing signals required for GPS processing." (Examiner's Answer, page 7) (emphasis added). The Appellant respectfully disagrees.

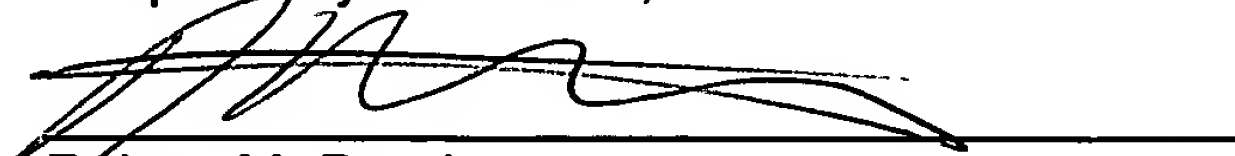
First, whether or not Krasner suggests the use of a receive only front end is not germane to the present rejection under 35 U.S.C. §102, but rather relates to a rejection under 35 U.S.C. §103. As of the date of the Examiner's Answer, a rejection under new grounds cannot be issued in the Examiner's answer. See 37 CFR §1.193 (2004). Under §102, the prior art must teach each and every element of the claim as arranged therein.

Second, whether or not Krasner obtains a time synchronization signal without transmitting signals is not germane to whether or not Krasner obtains a time synchronization signal using a front end only capable of receiving signals. In each embodiment of Krasner where time is determined, Krasner describes a mobile unit having a cellular transceiver. Regardless of whether the transceiver of Krasner is used to transmit signals, a transceiver is not a front end only capable of receiving signals, as claimed by the Appellant. By using a front end only capable of receiving cellular signals, Appellant's invention reduces mobile device complexity and cost as compared to the full communications transceiver employed by Krasner. Since Krasner does not teach each and every element of Appellant's claims 2 and 26 as arranged therein, Krasner does not anticipate Appellant's invention under 35 U.S.C. §102.

CONCLUSION

For the reasons advanced above and in Appellant's Appeal Brief, the Appellant respectfully urges that the rejection of claims 2-3, 6-7, 26-27, and 30-31 as being anticipated under 35 U.S.C. §102(e) is improper. Appellants respectfully request reversal of the rejections in this appeal.

Respectfully submitted,



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Kathleen Faughnan
Signature

August 30, 2004
Date of signature